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5 Attorneys for Defendant  
UNITY CARE GROUP, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ERICK VARGAS,

Case No. 5:16-cv-06767-EJD

Plaintiff,

**RULE 41 STIPULATED DISMISSAL OF  
SUBSTANTIVE DUE PROCESS UNDER 42  
U.S.C. §1983 (FIRST CAUSE OF ACTION) AS  
TO UNITY CARE GROUP, INC. ONLY**

v.

Hon. Edward J. Davila

UNITY CARE GROUP, INC., business  
entity form unknown, COUNTY OF  
SANTA CLARA, a public entity,  
PATRICK DAUPHIN, individually, and  
DOES 1 THROUGH 10, INCLUSIVE

Defendants.

Pursuant to Federal Rule of Civil Procedure 41, Plaintiff Erick Vargas and Defendant  
Unity Care Group, Inc., by and through their respective counsel of record, hereby stipulate that  
the First Cause of Action to the Complaint — Substantive Due Process under 42 U.S.C. §1983 —  
is dismissed with prejudice as to Unity Care Group, Inc. ONLY.

Erick Vargas and Unity Care Group, Inc. to bear their own fees and costs with respect to  
the First Cause of Action.

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The First Cause of Action still survives against defendants PATRICK DAUPHIN, COUNTY OF SANTA CLARA and DOES 1 THROUGH 10.

Dated: July 28, 2017

## CASILLAS & ASSOCIATES

By: /s/ Arnold Casillas  
ARNOLD CASILLAS  
Attorneys for Plaintiff  
ERIK VARGAS

Dated: July 28, 2017

ALLEN, GLAESSNER,  
HAZELWOOD & WERTH, LLP

By: /s/ Steven D. Werth  
STEVEN D. WERTH  
Attorneys for Defendant  
UNITY CARE GROUP, INC.

**IT IS SO ORDERED.**

DATED: July 31, 2017

HON. EDWARD J. DAVILA  
U. S. DISTRICT JUDGE